

FLATHEAD COUNTY LONG RANGE PLANNING TASK FORCE

MEETING MINUTES (unapproved) THURSDAY, OCTOBER 12th, 2006

Call to Order

- Meeting called to order at 4:05 p.m.

Roll Call

Members Present

Jed Fisher
Jeff Harris
Dennis Hester
Charlie Johnson
Don Hines
Mike Pence
Marsha Sheffels
Tom Jentz
Jim Patrick
Bob Horne
Velvet Phillips-Sullivan
Diana Blend
Kerry Finley
Karen Reeves
Richard Surynt
Myrt Webb
Chuck Roady
Pam Kennedy

Members Absent

Gary Hall
Mike Meehan
Joe Russell
Bill Shaw
Turner Askew
Jane Leivo

Others

BJ Grieve

June and September Minutes Approval

Change minutes to show that Charlie Johnson, Marsha Sheffels and Myrt Webb were there. Don Hines should be moved to the "Others" list.

Myrt made a motion to approve the June 8th minutes. Chuck Roady seconded the motion. All approved.

Jeff Harris made a motion to approve the September 14th minutes. Myrt seconded. All approved.

Old Business

None.

New Business

- ◆ Bob Horne: Why doesn't the Vice-Chair automatically become Chair?
- ◆ Dennis Hester: Diana is residing as chair. Vice-Chair can chair if she is not present. In this case the position is vacant so now can be filled.
- ◆ Kerry Finley: Nominates Gary Hall. Jed Fisher seconded. All approved.

Discussion/Action on Amendment to Bylaws re: staggered terms. Also review what constitutes a quorum -Dennis Hester

- ◆ Dennis Hester: The commissioners are scheduled to convene next week to review resolution for staggered terms.
- ◆ Kerry Finley: Voting membership is missing a representative from the Evergreen business association.
- ◆ Dennis: Listed on the memo as EBDA. The Evergreen business association member does not fall under staggered terms.
- ◆ Velvet Phillips-Sullivan made a motion to approve bylaws. Mike Pence seconded. All approved.
- ◆ Karen Reeves: There were originally alternate members
- ◆ Velvet: There used to be two citizen members representing each city.
- ◆ Dennis: Originally there were 4 citizen members presented and 2 alternates. In March the commissioners changed the status of the alternates to permanent – the staggered terms deal with those six members only.
- ◆ Karen: The original resolution passed by the commissioners indicates one member from each city.
- ◆ Dennis: The commissioners never changed this as a board.
- ◆ Diana: can we address today or wait to put on the agenda.
- ◆ Dennis: You can make a motion to go to the commissioners to clarify.
- ◆ Pam Kennedy: To adopt the bylaw amendment for the 6 citizen members.
- ◆ Bob: It doesn't make sense to amend the bylaws unless the commissioners pass the resolution.
- ◆ Diana: We can just request clarification from the commissioners?
- ◆ Dennis: First commissioners pass the resolution, then the task force should amend the bylaws.
- ◆ Karen: Currently we have eight members-at-large, does this mean some members will be eliminated?
- ◆ Pam made a motion to table this discussion until January. Bob seconded. All were in favor.
- ◆ Pam Kennedy made a motion to forward a recommendation from this body to the county commissioners office for resolution of intent for the citizen membership of the board to have staggered terms and that there be two members from each of the three incorporated cities, a city planning rep from each of the three cities, seven citizen members-at-large from a broad geographical base within the county, and all of the aforementioned be given voting rights. Charlie Johnston seconded. All approved.
- ◆ Whatever gets passed by the board of commissioners will be represented in the amended by-laws in January.

Growth Policy and Baseline Briefing – Jeff Harris and Don Hines

- ◆ Jeff Harris: The Growth Policy is making its way through a review process with the planning board. We cannot predict how long the review process will go. The October 15th target date will not be met, however, good progress is being made.
- ◆ The baseline document complements the growth policy. Unknown as to whether that document will need to be reviewed. No comments were received on the baseline document – but many comments received on the GP document.
- ◆ The Planning Board has asked for a copy of the natural resources policy document – which will be provided to them tonight.
- ◆ In the mean time, certain things have frozen. The 1987 county master plan does not go away, it is frozen. As of 10/1 – while the master plan is still there, we will not make any changes to it.
- ◆ Also our zoning regulations are frozen. No zone changes, no text changes, no changes to the zoning map. Only variances (hardships), conditional use cases. We have a lot of applications that are caught in public hearings.

Report on New West Conference on Real Estate and Development in the Northern Rockies and Valley West Tour – Diana Blend

Diana shared her impressions of the conference:

- ◆ There was a huge attendance from many NW states.
- ◆ Participants were interested in best practices for development and community design. It was exciting to hear people talking about development in Montana. Was hopeful in that the projects were not just in the pipeline, but actually happening.
- ◆ Treasure state defined - our treasure is the land, the beauty, aesthetics and the community character. This was the common theme throughout the presentations.
- ◆ Our process for the growth plan is a good one. We have to be flexible and involve the community in the process of visioning. Come as close to consensus as you can, keep your document flexible and focus on implementation.

Examples of a few projects:

- ◆ Churchill and Amsterdam – The developer was planning for completely green building materials, community garden, single family housing, some multi family housing, affordable and mid-range. A little bit of commercial. He was very committed to leaving a smaller carbon footprint. Encourage walking and biking.
- ◆ Helena – Stillwater by Sage – Four stories high – condo residences above holistic spa services and concierge services. Use Feng Shui in their design.
- ◆ Russell Street – Missoula - An old lumber yard will be reclaimed and rehabbed. Build around a village green. Make it affordable – 70 units of low income and 200 units of market priced. The village green will have parking lot beneath it. A public/private partnership.
- ◆ Rocky Z Ranch - In or Near Gallatin valley – createaa homeowners (ranch) association. Development 2000 feet back from the Big Hole river. No houses to be seen from the river. Houses are built into the landscape. Upper scale subdivision, but by making the ranch an association, everyone can enjoy the amenities of the ranch and the fishing and horse community.
- ◆ Spires at Red Lodge - Broadband, recreation trails, close to medical care, sustainable building materials.
- ◆ Valley West project (Bozeman) - open space, commercial and retail. Mixed use and cluster housing. Granny flats above the garage. The developer is the Aspen Group. A traditional style of community living. Huge swath of parkland that the city will take over. Irrigation ditch into a creek with wetlands around it. Bicycle trails, rear entry garages and alley ways. 2 ponds. Traffic calming circles.
- ◆

- ◆ In the paper yesterday, other developers are coming to our community with these big ideas. It will change how we live for the better.

Define Private Property rights and discuss how they affect development and conservation issues. – Myrt Webb

- ◆ Myrt: Citizens have told us we should do something about view sheds and open space. There is no solid definition of property rights in the US, and it changes.
- ◆ Does the public have rights to a view – can we restrict the right to private property to protect a view shed. Myrt's opinion– we don't have a right to the view.
- ◆ There are things that can help – i.e. conservation easements. Private owner can give it up for donation, tax benefits, for sale, etc.
- ◆ Bob: In the context of a community based plan – you have not taken anyone's rights. If you have a reasonable use of the property, that right cannot be taken.
- ◆ There is an initiative 154 – if you zone someone's property you have to reimburse them for the lost value. This is happening in Oregon and costing them billions.
- ◆ It stifles growth and development. The Supreme court has upheld zoning as a means of protecting property values. This sets a standard for what might be expected in the future. If I know my property values are going to be protected, then I know that there won't be undesirable construction near my property.
- ◆ Jim Patrick: Recommends a planning book "Rule by Design" by Randall Lawrence – take a piece of property – one house to an Acre. Cluster for open space.
- ◆ Diana: Has anyone seen the documentary "The End of Suburbia?"
- ◆ Velvet: It's about smart growth – e.g. walkable, sustainable communities. History of why we are so spread out as a country. As gas prices go up it will be more and more important for us to be "in community" again.
- ◆ Myrt: why did the planning board eliminate the item to provide conservation easements?
- ◆ Jeff: Counties are uniquely different than cities. Not enough specificity to that policy – unwilling to go to a place that on a map said this area should not be developed and kept as open space. The Planning Board got caught between not understanding the process and understanding the policy. County should not force people to maintain open space.
- ◆ BJ: A lot of public comment about open space plan. More open space preservation at time of development. It's possible we didn't write the policy clearly – may have come across as the government taking your land when we designate as open space. Tried to revise policy but were not able to revise it well enough for people to understand it.
- ◆ Bob spoke about a comprehensive plan in WY. A consulting team did something brilliant – provided view corridors, protected resources, community character, affordable housing. Rather than talk about these things and have misunderstandings. He laid out the regulatory and programmatic tools first. This eliminated the hand wringing – so when we talked about various issues – we knew what tools were going to be in the box.
- ◆ Karen: The goal was to create a group that would look into possibilities. There is a faction in this county – any idea of a growth policy is heinous. Any kind of regulation is a violation of property rights. So things get watered down as a result.
- ◆ Bob: Do you think that there are people who think that any regulation is a violation of property rights?
- ◆ Karen: Yes. There are people out there, a lot of fear mongering and lack of understanding about the policy.

- ◆ Diana: Mind set in the public is anti-clustering. There was an article about Gallatin County – citizens have anted up millions of dollars to protect open space. This helped farmers to keep in agriculture. The article may be food for thought.
- ◆ Jeff: Conservation easements should be supported, they are generally voluntary. There needs to be a plan/pattern to them. Need to do it in a context that uses a comprehensive or systems approach so we know where we should target and spend our resources and energy.

Agenda suggestions for January 07 meeting

- ◆ Bylaws
- ◆ TDRs (Pam)
- ◆ Legislative issues – there could be a real need to go forward to legislature and speak about potential bills coming forward that could harm our process or planning. (Pam)
- ◆ A presentation on principles of Civic Dialogue. Let's adopt at this level so we can adopt across the county. (Pam)
- ◆ Joint planning processes/agreements between cities and counties – a cooperative planning effort. (Bob)
- ◆ Future role of the task force – a sounding board for the commissioners. (Diana)
- ◆ Reorganize committees. (Myrt)
- ◆ Total maximum daily limits (as it pertains to the growth policy or development in the flathead valley). (Jim)
- ◆ Future agenda item - urban reserve designation. Lands that would be designated in some rural category. (Bob)

Task Force Member Comment Period

Diana: Thank you's to the group. She was motivated to get involved because the community had so few discussions that were polite, genuine and transparent. She wanted to help raise the bar and allow people to speak. Really consider what the other person is thinking.

Velvet – thanks to Diana for her work.

Public Comment Period

None

Adjourn

Meeting adjourned at 5:50 p.m.